

K. Kenji Gjovig
PO Box 1916
El Granada, CA 94018
+1.479.903.4047
kenjigjovig@gmail.com

5/9/25

United States Bankruptcy Court
District of Delaware
Attn: Clerk of the Court
844 N. King Street, Suite 2207
Wilmington, DE 19801

RECEIVED
2025 MAY 14 AM 10:20
CLERK
US BANKRUPTCY COURT
DISTRICT OF DELAWARE

Re: Objection to Rejection of Contract – Case No. 25-10068 (CTG)

Debtor: Joann Stores, LLC

Counterparty: Bayfield Company LLC

Dear Clerk of the Court:

I write on behalf of **Bayfield Company LLC** to formally object to the rejection of our Master Services Agreement (MSA) with Joann Stores, LLC as outlined in the Thirteenth Notice of Rejection of Executory Contracts. This objection is filed for the following reasons:

1. Direct Recruitment by Joann's Leadership

Bayfield Company LLC was specifically recruited to provide consulting services to Joann Stores following an introduction to Joann's CEO by a member of the Joann Board of Directors. This high-level engagement reflects the importance of our services and the company's direct intent to leverage our expertise. (Exhibit A)

2. Suspicious Timing of Engagement and Rejection

Our engagement began just two months before Joann filed for bankruptcy. It is concerning that Joann proactively engaged our services, initiated a contract, and utilized our expertise, only to reject the contract almost immediately thereafter. This timing raises serious questions regarding Joann's good faith in entering the agreement.

- **Legal Basis:** This rejection may constitute bad faith under bankruptcy law, as recognized in *In re Enron Corp.*, 279 B.R. 695 (Bankr. S.D.N.Y. 2002), which prohibits the rejection of contracts in a manner that is inherently deceptive or unfair to the counterparty.

3. Substantial Value Provided, Including Pre-Contract Work

Bayfield Company LLC began providing services to Joann even before the MSA was formally signed, at Joann's direct request, to ensure a seamless and timely launch of the project. Our team participated in an initial kickoff meeting with Joann's team on November 11, 2024, and began delivering services immediately, demonstrating our good faith commitment to this engagement. (Exhibit B)

- **Legal Basis:** Under 11 U.S.C. § 503(b), claims arising from services that directly benefit the debtor's estate may be entitled to administrative priority. Bayfield's services were crucial to Joann's operational strategy and directly benefited the estate.

4. Clear Evidence of Work Performed and Payment Expected

- We properly submitted multiple invoices for the services rendered, including:
 - **Invoice #1812 for \$36,500 (Paid)** – Proof of acknowledgment of services.
 - **Invoice #1814 for \$36,500 (Unpaid)** – Approved by Joann but never paid.
 - **Invoice #1815 for \$73,000 (Unpaid)** – Approved by Joann but never paid.
- These invoices and the corresponding email approvals are attached as Exhibit C.
- **Legal Basis:** Under 11 U.S.C. § 365(d)(3), the debtor must perform post-petition obligations under an executory contract until it is rejected. Given the approval of the invoices, Joann is obligated to pay.

5. Request for Contract Enforcement or Priority Claim Treatment

Given the clear indication of bad faith in the timing of this rejection and the substantial value provided by Bayfield Company LLC, I respectfully request that the Court:

- Require Joann to honor the contract and provide payment for all services rendered, or

- Classify Bayfield Company LLC's claim as a priority administrative claim, recognizing the critical nature of the services provided and the bad faith nature of the rejection.

6. Exhibits Included:

- **Exhibit A:** Introduction Email from the Board Member and/or CEO.
- **Exhibit B:** Signed MSA and SOW, including pre-contract kickoff details.
- **Exhibit C:** Invoices #1812, #1814, and #1815, including payment confirmation and approval emails.

I respectfully request that my claim be processed for the full amount of \$109,500. Please confirm receipt of this claim at your earliest convenience. Should you require any additional information, feel free to contact me at kenjigjovig@gmail.com.

Sincerely,

Best regards,



K. Kenji Gjovig
Managing Director
Bayfield Company LLC



Kenji Gjovig <kenjigjovig@gmail.com>

Introduction to Kenji for e-commerce opportunities

15 messages

Joseph Hartsig <jhartsig@rainesinternational.com>

Thu, Sep 12, 2024 at 5:44 AM

To: "Prendergast, Michael" <mprendergast@alvarezandmarsal.com>, Kenji Gjovig <kenjigjovig@gmail.com>, Ann Aber <Ann.Aber@joann.com>

Cc: Stan Rosenweig <stan@stanzweig.com>

Hi Michael –

Following up on our meeting yesterday, I'm connecting you to Kenji who I spoke with you about as a potential resource for us as we navigate ways to strengthen our e-commerce area. I'm attaching his background as well.

Joe

Joe Hartsig
Managing Director

Chicago, IL

+1 847 881 5704

rainesinternational.com



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 Raines Assessments >

**Kenji Gjovig resume Sept24.docx**

36K

Kenji Gjovig <kenjigjovig@gmail.com>

Thu, Sep 12, 2024 at 7:52 AM

To: Joseph Hartsig <jhartsig@rainesinternational.com>, "Prendergast, Michael" <mprendergast@alvarezandmarsal.com>

Cc: Ann Aber <Ann.Aber@joann.com>, Stan Rosenweig <stan@stanzweig.com>

Joe- thank you for the connection and we're probably due for a catch-up!

Michael- nice to meet you and congratulations on your appointment! I've been following the JOANN news over the months in part because at Rite Aid we've gone through our own Chapter 11 and just emerged. I worked with some A&M folks supporting Jeannief Walden's marketing & digital team through that process. I look forward to hearing more about how I might be able to help. Looking forward to it!

Happy to work with someone directly on finding a time to talk and I also have a calendly here that has my current availabilities: <https://calendly.com/kenji-gjovig-fcbb>

--

3/20/25, 10:53 AM

Gmail - Introduction to Kenji for e-commerce opportunities

Best regards,
Kenji Gjovig
479-903-4047



[Quoted text hidden]

--

Best regards,
Kenji Gjovig
479-903-4047



Prendergast, Michael <mprendergast@alvarezandmarsal.com>

Thu, Sep 12, 2024 at 8:26 AM

To: Joseph Hartsig <jhartsig@rainesinternational.com>, Kenji Gjovig <kenjigjovig@gmail.com>, Ann Aber
<Ann.Aber@joann.com>, "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

Cc: Stan Rosenweig <stan@stanzweig.com>

Thx Joe!

Kenji - pleasure to e-meet you. Would be great to discuss opportunities we have at Joann. Ccing Kristina to help us find a time to chat. Looking forward to connecting. Moving all others to bcc.

Best regards,
Michael

Get Outlook for iOS

From: Joseph Hartsig <jhartsig@rainesinternational.com>

Sent: Thursday, September 12, 2024 8:44:29 AM

To: Prendergast, Michael <mprendergast@alvarezandmarsal.com>; Kenji Gjovig <kenjigjovig@gmail.com>; Ann Aber <Ann.Aber@joann.com>

Cc: Stan Rosenweig <stan@stanzweig.com>

Subject: Introduction to Kenji for e-commerce opportunities

⚠ [EXTERNAL EMAIL]: Use Caution

[Quoted text hidden]

Prendergast, Michael <mprendergast@alvarezandmarsal.com>

Thu, Sep 12, 2024 at 8:36 AM

To: Kenji Gjovig <kenjigjovig@gmail.com>, "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

KD - can you pls find a slot that works for Kenji and I to chat ? Thx

Get Outlook for iOS

From: Kenji Gjovig <kenjigjovig@gmail.com>

Sent: Thursday, September 12, 2024 10:52:33 AM

To: Joseph Hartsig <jhartsig@rainesinternational.com>; Prendergast, Michael <mprendergast@alvarezandmarsal.com>

Cc: Ann Aber <Ann.Aber@joann.com>; Stan Rosenweig <stan@stanzweig.com>

Subject: Re: Introduction to Kenji for e-commerce opportunities

⚠ [EXTERNAL EMAIL]: Use Caution

3/20/25, 10:53 AM

Gmail - Introduction to Kenji for e-commerce opportunities

[Quoted text hidden]

Kenji Gjovig <kenjigjovig@gmail.com>
To: "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

Thu, Sep 12, 2024 at 8:39 AM

Kristina- nice to meet you. If this would help to coordinate booking times, my calendly is here. <https://calendly.com/kenji-gjovig-fcbb>

Best,
Kenji

[Quoted text hidden]

Dapolito, Kristina <kdapolito@alvarezandmarsal.com>
To: Kenji Gjovig <kenjigjovig@gmail.com>

Thu, Sep 12, 2024 at 9:13 AM

Hello!

Thank you for this information! **Monday 2:30-3 PM ET** looks available. I am happy to send an invite!

Best,

Kristina

Kristina Dapolito

Operations Coordinator

Alvarez & Marsal | Consumer & Retail Group

Direct: +1 732-492-6968



[Quoted text hidden]

Joseph Hartsig <jhartsig@rainesinternational.com>
To: Kenji Gjovig <kenjigjovig@gmail.com>

Thu, Sep 12, 2024 at 9:21 AM

Great you reference working with A&M...assume they'd say positive things?


Joe Hartsig
Managing Director

Chicago, IL

+1 847 881 5704

rainesinternational.com



Learn more about
Raines Assessments 

From: Kenji Gjovig <kenjigjovig@gmail.com>

Sent: Thursday, September 12, 2024 9:53 AM

To: Joseph Hartsig <jhartsig@rainesinternational.com>; Prendergast, Michael <mprendergast@alvarezandmarsal.com>

Cc: Ann Aber <Ann.Aber@joann.com>; Stan Rosenweig <stan@stanzweig.com>

Subject: Re: Introduction to Kenji for e-commerce opportunities

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Happy to work with someone directly on finding a time to talk and I also have a calendly here that has my current availabilities: <https://calendly.com/kenji-gjovig-fcbb>

--

Best regards,

Kenji Gjovig

479-903-4047

On Thu, Sep 12, 2024 at 5:44 AM Joseph Hartsig <jhartsig@rainesinternational.com> wrote:

Hi Michael –

Following up on our meeting yesterday, I'm connecting you to Kenji who I spoke with you about as a potential resource for us as we navigate ways to strengthen our e-commerce area. I'm attaching his background as well.

Joe

3/20/25, 10:53 AM

Gmail - Introduction to Kenji for e-commerce opportunities


Joe Hartsig
Managing Director

Chicago, IL

+1 847 881 5704

rainesinternational.com



Learn more about
Raines Assessments 

--

Best regards,

Kenji Gjovig

479-903-4047



Kenji Gjovig <kenjigjovig@gmail.com>
To: Joseph Hartsig <jhartsig@rainesinternational.com>

Thu, Sep 12, 2024 at 9:27 AM

I would think so. I didn't work super closely with them but all the interactions I had were positive. I am also asking the CMO if she'd write a letter for me. Since you're on the board now I assume you'll be working with Jeanniey too.

[Quoted text hidden]

[Quoted text hidden]



Kenji Gjovig <kenjigjovig@gmail.com>
To: "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

Thu, Sep 12, 2024 at 9:27 AM

Thank you so much! That works great!

[Quoted text hidden]

Dapolito, Kristina <kdapolito@alvarezandmarsal.com>
To: Kenji Gjovig <kenjigjovig@gmail.com>

Thu, Sep 12, 2024 at 10:47 AM

You're welcome! I have sent an invite, have a great rest of your day!

3/20/25, 10:53 AM

Gmail - Introduction to Kenji for e-commerce opportunities

Best,

Kristina

[Quoted text hidden]

Dapolito, Kristina <kdapolito@alvarezandmarsal.com>

Mon, Sep 16, 2024 at 8:58 AM

To: Kenji Gjovig <kenjigjovig@gmail.com>

Hi Kenji,

Apologies, Michael will need to adjust today's meeting to Wednesday or Thursday. Is your calendly link up to date? I can adjust date/time using that, if preferred.

Thanks,

Kristina

[Quoted text hidden]

Kenji Gjovig <kenjigjovig@gmail.com>

Mon, Sep 16, 2024 at 10:00 AM

To: "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

no problem. Yes calendly is updated. Thank you!

[Quoted text hidden]

Dapolito, Kristina <kdapolito@alvarezandmarsal.com>

Mon, Sep 16, 2024 at 12:30 PM

To: Kenji Gjovig <kenjigjovig@gmail.com>

Thank you, I have sent a new invite for **Thursday, 12-12:30 ET**.

Best,

[Quoted text hidden]

Kenji Gjovig <kenjigjovig@gmail.com>

Mon, Sep 16, 2024 at 1:32 PM

To: "Dapolito, Kristina" <kdapolito@alvarezandmarsal.com>

perfect, thank you!

[Quoted text hidden]

Dapolito, Kristina <kdapolito@alvarezandmarsal.com>

Mon, Sep 16, 2024 at 1:33 PM

To: Kenji Gjovig <kenjigjovig@gmail.com>

You're welcome!

[Quoted text hidden]

3/20/25, 10:24 AM

Gmail - Kenji - Bayfield Kickoff Meeting



Kenji Gjovig <kenjigjovig@gmail.com>

Kenji - Bayfield Kickoff Meeting

2 messages

Stephanie Roberts <Stephanie.Roberts@joann.com>

Mon, Nov 11, 2024 at 11:00 AM

To: Kenji Gjovig <kenjigjovig@gmail.com>, John Stalcup <John.Stalcup@joann.com>, "wjudson6@gmail.com" <wjudson6@gmail.com>, "joshwbaldino@gmail.com" <joshwbaldino@gmail.com>

Cc: Michael Prendergast <Michael.Prendergast@joann.com>, "Prendergast, Michael" <mprendergast@alvarezandmarsal.com>

Microsoft Teams [Need help?](#)

Join the meeting now

Meeting ID: 216 916 101 39

Passcode: EhA9kA

Dial in by phone

+1 330-306-9990,,690909201# United States, Warren

[Find a local number](#)

Phone conference ID: 690 909 201#

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)

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 **invite.ics**
6K

Kenji Gjovig <kenjigjovig@gmail.com>
To: Darius Abassi <darius@pentalon.co>

Mon, Nov 11, 2024 at 1:34 PM

[Quoted text hidden]


3/20/25, 10:24 AM

Gmail - Kenji - Bayfield Kickoff Meeting

--

Best regards,
Kenji Gjovig
479-903-4047



 **invite.ics**
6K

Bayfield Company

INVOICE

Bayfield Company LLC

Kenji Gjovig
 PO Box 1916
 El Granada, CA 94018
 479.903.4047
 kenjigjovig@gmail.com

INVOICE NO. 1812
DATE 11/19/2024
CUSTOMER ID JOANN

TO

AccountsPayable@joann.com
 Jo-Ann Stores, LLC

JOB	PAYMENT TERMS
Bayfield Company LLC Consulting	Due on receipt

DESCRIPTION	QUANTITY	AMOUNT	TOTAL
Consulting- half of first month milestone payment	0.5	\$73,000.00	\$36,500.00

		TOTAL DUE	\$36,500.00
US Domestic Direct Deposit		International Direct Deposit	
Evolve Bank & Trust	Bank Name	Bank Name	First National Bankers Bank
6000 Poplar Ave, Suite 300, Memphis, TN 38119	Bank Address	Bank Address	7813 Office Park Blvd, Baton Rouge, LA, 70809, USA
9801311821	Account Number	IBAN / Account Number	9801311821
084106768	Routing Number	SWIFT/BIC	FRNAUS44XXX
THANK YOU FOR YOUR BUSINESS!			

THIS DOCUMENT IS PRINTED IN TWO COLORS. DO NOT ACCEPT UNLESS BLUE AND BROWN ARE PRESENT.

JOANN
JOANN TOWNS, LLC
3545 Davenport Road - Hudson, Ohio 44236

BANK OF AMERICA
Atlanta, GA 30308

64-1278
611 GA

NO. 400562565

AMOUNT
***\$36,500.00

DATE 12/27/2024

PAY THIRTY-SIX THOUSAND FIVE HUNDRED AND 00/100 USD

TO PAYFIELD COMPANY LLC
PO BOX 1916
EL GRANADA CA 94018

THE ORDER OF

Joann Towns

AUTHORIZED SIGNATURE

~~VOID AFTER 60 DAYS~~

Payment received for
Invoice 1812

Check Deposit

\$36,500.00


Joann Stores LLC

Jan 8 at 2:43PM - Deposited by Kenji G.

Mercury Checking ••1821

Jan 14 at 11:00PM

Check images



Mercury category

Tags

Transaction tagging is in beta, share your feedback.

Notes

Invoice 1812

Attachments

Drag and drop here or click to upload

You may upload PDF, PNG, or JPEG files

Bayfield Company

INVOICE

Bayfield Company LLC

Kenji Gjovig
 PO Box 1916
 El Granada, CA 94018
 479.903.4047
 kenjigjovig@gmail.com

INVOICE NO. 1814
DATE 12/18/2024
CUSTOMER ID JOANN

TO

AccountsPayable@joann.com
 Jo-Ann Stores, LLC

JOB**PAYMENT TERMS**

Bayfield Company LLC Consulting

Due on receipt

DESCRIPTION	QUANTITY	AMOUNT	TOTAL
Consulting- second of first month milestone payment	0.5	\$73,000.00	\$36,500.00

TOTAL DUE**\$36,500.00**

US Domestic Direct Deposit		International Direct Deposit	
Evolve Bank & Trust	Bank Name	Bank Name	First National Bankers Bank
6000 Poplar Ave, Suite 300, Memphis, TN 38119	Bank Address	Bank Address	7813 Office Park Blvd, Baton Rouge, LA, 70809, USA
9801311821	Account Number	IBAN / Account Number	9801311821
084106768	Routing Number	SWIFT/BIC	FRNAUS44XXX
THANK YOU FOR YOUR BUSINESS!			



Kenji Gjovig <kenjigjovig@gmail.com>

Invoice #1814 is Approved to Pay by Jo-Ann Stores, LLC

1 message

do_not_reply@joann.coupahost.com <do_not_reply@joann.coupahost.com>
To: kenjigjovig@gmail.com

Wed, Dec 18, 2024 at 1:21 PM

Powered by  coupa

JOANN

Invoice #1814 is Approved to Pay by Jo-Ann Stores, LLC

Hello KJELL KENJI,

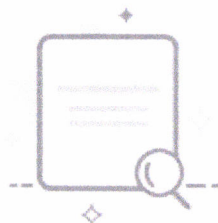
Your Invoice #1814 has been approved to pay by your customer, Jo-Ann Stores, LLC. No further action is required but you can click below for real time status or additional details.

If your customer's process is to mark the Invoice as 'Paid' in Coupa, you will get a notification at that time with instructions for payment details.

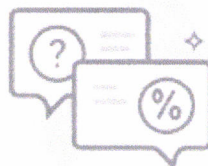
If you have any questions you can simply contact your customer through normal channels or enter a comment on the Invoice.

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Payments

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Bayfield Company

INVOICE

Bayfield Company LLC

Kenji Gjovig
 PO Box 1916
 El Granada, CA 94018
 479.903.4047
 kenjigjovig@gmail.com

INVOICE NO. 1815
DATE 1/9/2025
CUSTOMER ID JOANN

TO

AccountsPayable@joann.com
 Jo-Ann Stores, LLC

JOB	PAYMENT TERMS
Bayfield Company LLC Consulting	Due on receipt

DESCRIPTION	QUANTITY	AMOUNT	TOTAL
Consulting (PO: 1047381)	1	\$73,000.00	\$73,000.00

		TOTAL DUE	\$73,000.00
US Domestic Direct Deposit		International Direct Deposit	
Evolve Bank & Trust	Bank Name	Bank Name	First National Bankers Bank
6000 Poplar Ave, Suite 300, Memphis, TN 38119	Bank Address	Bank Address	7813 Office Park Blvd, Baton Rouge, LA, 70809, USA
9801311821	Account Number	IBAN / Account Number	9801311821
084106768	Routing Number	SWIFT/BIC	FRNAUS44XXX
THANK YOU FOR YOUR BUSINESS!			



Kenji Gjovig <kenjigjovig@gmail.com>

Invoice #1815 is Approved to Pay by Jo-Ann Stores, LLC

1 message

do_not_reply@joann.coupahost.com <do_not_reply@joann.coupahost.com>
To: kenjigjovig@gmail.com

Thu, Jan 23, 2025 at 12:04 PM

Powered by  coupa

JOANN

Invoice #1815 is Approved to Pay by Jo-Ann Stores, LLC

Hello KJELL KENJI,

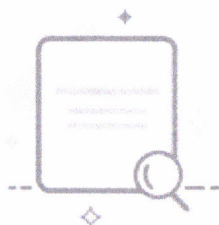
Your Invoice #1815 has been approved to pay by your customer, Jo-Ann Stores, LLC. No further action is required but you can click below for real time status or additional details.

If your customer's process is to mark the Invoice as 'Paid' in Coupa, you will get a notification at that time with instructions for payment details.

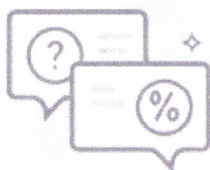
If you have any questions you can simply contact your customer through normal channels or enter a comment on the Invoice.

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Orders



Invoices



Payments

3/19/25, 4:57 PM

Gmail - Invoice #1815 is Approved to Pay by Jo-Ann Stores, LLC

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